



IT IS ORDERED as set forth below:

Date: February 3, 2015

A handwritten signature in black ink, reading "James R. Sacca".

James R. Sacca
U.S. Bankruptcy Court Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION**

IN RE:)	
)	CHAPTER 13
DAVID FOSTER ORTON,)	
)	CASE NO. 14-22276-JRS
DEBTOR.)	
<hr/>)	
BANK OF AMERICA, N.A.,)	
)	JUDGE JAMES R. SACCA
MOVANT,)	
V.)	CONTESTED MATTER
)	
DAVID FOSTER ORTON,)	
)	
DEBTOR / RESPONDENT.)	
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**ORDER GRANTING BANK OF AMERICA, N.A.'S MOTION FOR RELIEF FROM
THE AUTOMATIC STAY TO FORECLOSE ON COLLATERAL**

This matter came before the Court for a hearing on December 17, 2014 at 10:30 p.m. (Eastern) and a continued hearing on January 28, 2015 at 10:30 p.m. (Eastern), upon proper

notices of hearing to parties in interest, on Bank of America, N.A.'s ("**Movant**") Motion for Relief from the Automatic Stay to Foreclose on Collateral filed November 21, 2014 (the "**Motion**") (Doc. No. 14).¹ It appearing that this Court has jurisdiction to consider the Motion; and it appearing that proper and adequate notice of the Motion has been given and no further notice is necessary; it appearing that no opposition to the Motion was filed and counsel for David Foster Orton announced in open court at the hearing on January 28, 2015 that the Debtor did not oppose the relief sought in the Motion; and based upon the entire record of this case and for good cause shown, it is hereby

ORDERED that the Motion is GRANTED. It is further

ORDERED that the automatic stay of 11 U.S.C. § 362(a) in the bankruptcy case of David Foster Orton is modified as to Movant, its successors and/or assigns, and Movant's collateral consisting of the Securities Account (as such term is defined in the Motion) (the "**Collateral**"). It is further

ORDERED that Movant, its successors and/or assigns, is hereby authorized to exercise and enforce its non-bankruptcy law rights and remedies under the Agreement (as such term is defined in the Motion) and applicable federal or state law, including, but not limited to, accelerating the indebtedness, sending all notices and demands required under state law or the applicable loan documents, foreclosing on and/or taking possession of the Collateral, liquidating or otherwise disposing of the Collateral, collection of reasonable fees and costs, and taking any

¹ Unless otherwise defined in this order, all capitalized terms shall have the same meaning as set forth in the Motion.

and all further actions and giving any and all other notices as may be necessary or appropriate in connection therewith. It is further

ORDERED that upon the completion of any disposition of the Collateral, any funds received in excess of the full amount of the indebtedness due and owing to Movant under the Agreement and applicable law, if any, shall be paid to the Chapter 13 Trustee for the benefit of the bankruptcy estate. It is further

ORDERED that this Order becomes effective immediately upon entry, notwithstanding Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure. It is further

ORDERED that this Court shall retain jurisdiction over any and all matters arising from or related to the interpretation and implementation of this Order.

END OF DOCUMENT

Prepared and Submitted by:

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Reviewed and No Opposition by:

/s/

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